CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2011-12

AN ORDINANCE

AMENDING SECTION 23-1.4 SFCC 1987 REGARDING OBSTRUCTION PERMIT FEES;

AMENDING SECTION 23-2.10 SFCC 1987 REGARDING STREET CUT PERMIT FEES

AND RESTORATION PENALTIES; AND AMENDING SECTION 23-3-10 SFCC 1987

REGARDING CURB CUT FEES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 23-1.4 SFCC 1987 (being Code 1953, § 24-4 – 24-7) is amended to read:

23-1.4 Obstruction of Streets.

A. *Permit Required; Fee.* Except as otherwise provided, any person desiring to place any obstruction on any public street, alley or way in the city shall make application to the public works department for a permit to do so. Such permit shall be granted on compliance with terms as may be imposed by a city engineer and on the payment of a fee of one hundred dollars ($100.00) per permit.

B. *Warning Lights Required.* Except as otherwise provided, warning lights shall be placed and maintained from sundown to sunup of every day at both ends of every obstruction on any street of the city and at intervals of not more than fifty feet (50') along such obstruction.

C. Removal.

(1) Any obstruction on any street or alley or in that half of the street adjoining any store, shop, building or premises in violation of paragraphs A. or B. above, shall

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1 immediately be removed by the owner or occupant of the premises.

2 (2) It is the duty of any police officer or other authorized city employees finding

3 an obstruction in any street or alley, to notify and require the owner, occupant or person in

4 charge, to remove the obstruction immediately.

5 (3) It is unlawful for any person to refuse or neglect to comply with such order

6 and the city shall immediately remove the obstruction at the expense of the owner or

7 occupant.

8 (4) No person shall hinder, interfere with, or prevent the city from performing

9 any of the duties conferred in this paragraph.

10 **Section 2.** **Section 23-2.10 SFCC 1987 (being Ord. #1988-2, §11 as amended) is**

11 **amended to read:**

12 **23-2.10 Street Cut Permit Fees, Restoration Penalties; Exemptions.**

13 A. Effective July 1, 2011, a street cut permit fee of two hundred dollars ($200.00) shall

14 be charged for each street cut permit issued. A separate permit shall be required for each street cut as

15 defined in subsection 22-2.3 SFCC 1987. A single repair project may consist of multiple street cuts.

16 B. Restoration penalties provided for in this section shall be twenty dollars ($20.00) per

17 square foot of resurfaced area.

18 C. After acceptance or approval by the city of the work completed under the permit, a

19 property owner residing on the property for which the work was completed may apply to the streets

20 division for reimbursement of the fee provided that all dwelling units on the property are occupied by

21 a household earning less than eighty percent (80%) of the area median income as certified by a

22 nonprofit affordable housing organization, under contract with the city, or otherwise qualified

23 organization.

24 **Section 3.** **Section 23-3.10 SFCC 1987 (being Ord. #1979-21, as amended) is**

25 **amended to read:**

23-3.10 Curb Cut Fees.

A fee of one hundred dollars ($100.00) per permit shall be collected by the city. A permit is required for each curb cut.

      Section 4.   **Review.** This Ordinance shall be reviewed by the governing body one year from the date of adoption.

      PASSED, APPROVED and ADOPTED this 25th day of May, 2011.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY